

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

**ORDER OF THE CHIEF JUDGE
RE: REASSIGNMENT OF CASES
PENDING BEFORE
THE HONORABLE FERN M SMITH**

/

**No C 04-2041 FMS
C 04-3268 FMS
C 04-2670 FMS
C 04-3370 FMS
C 04-3814 FMS
C 04-4248 FMS
C 04-4270 FMS
C 04-5220 FMS
C 04-5248 FMS
C 04-5392 FMS
C 05-0042 FMS
C 05-0208 FMS
C 05-0373 FMS**

**Because the Honorable Fern M Smith, to whom the above cases
were assigned, will retire effective June 30, 2005, these cases are re-assigned
as follows:**

**On or before July 29, 2005, the parties may select one or more of
the following magistrate judges to conduct any and all proceedings, including
trial and entry of judgment pursuant to 28 USC § 636(c)(1) :**

Honorable James Larson, Chief Magistrate Judge

Honorable Edward M Chen, Magistrate Judge

Honorable Maria-Elena James, Magistrate Judge

Honorable Elizabeth D Laporte, Magistrate Judge

Honorable Joseph C Spero, Magistrate Judge

Honorable Bernard Zimmerman, Magistrate Judge

1 **Upon filing with the court a selection and consent form signed by**
2 **all parties (or one for each party), the case will be re-assigned to one of the**
3 **magistrate judges chosen by the parties. A magistrate judge selection and**
4 **consent form is attached for the parties' convenience.**

5 **In the event the parties fail timely to consent to a magistrate**
6 **judge, the clerk is directed to re-assign the case to a United States district**
7 **judge selected at random from the active and senior judges of the court.**

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10 **IT IS SO ORDERED.**

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13 **VAUGHN R WALKER**
14 **United States District Chief Judge**

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

Plaintiff, **No C _____ FMS**
v **SELECTION OF AND CONSENT**
TO PROCEED BEFORE A
Defendant. **MAGISTRATE JUDGE**

_____ /

In accordance with the provisions of 28 USC § 636(c), all parties to
this action hereby consent to have Magistrate Judge(s)
_____, or _____, or
_____ conduct any and all further proceedings in the case,
including trial, and order the entry of a final judgment. Appeal from the judgment
shall be taken directly to the United States Court of Appeals for the Ninth Circuit.

Dated: _____

Signature

Counsel for _____
(name of party, indicate plaintiff or
defendant)

United States District Court

For the Northern District of California

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Dated: _____

Signature

Counsel for _____
(name of party, indicate plaintiff or defendant)

Dated: _____

Signature

Counsel for _____
(name of party, indicate plaintiff or defendant)

Dated: _____

Signature

Counsel for _____
(name of party, indicate plaintiff or defendant)